

21 C.J.S. Courts § 29

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Courts

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II. Jurisdiction of Courts

C. Jurisdiction of Subject Matter or Cause of Action

2. Amount in Controversy Within Subject Matter Jurisdiction

b. Determination of Amount in Controversy Within Subject Matter Jurisdiction

§ 29. Value of property in controversy as measure of subject matter jurisdiction

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

West's Key Number Digest, [Courts](#)  121(3), 169(2)

In an action for an interest in property, rather than damages, the value of the property interest at issue determines the amount in controversy for jurisdictional purposes.

Generally, when a suit is for an interest in personal property¹ or real property, rather than damages, the value of the property interest at issue determines the amount in controversy for jurisdictional purposes.² In an action for property damages, the value of the property at issue determines the amount in controversy.³

Under some statutes, in proceedings to eject a tenant, the annual value of the right of occupancy determines the jurisdiction of the courts.⁴

The pecuniary value of an insurer's obligation to tender a defense to its insured, as a property interest of the insured, in an underlying suit implicating the coverage issue, is properly considered in determining the existence of the jurisdictional amount in an action to determine coverage.⁵

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Footnotes

- 1 Tex.—*Allen v. Nunez*, 341 S.W.3d 27 (Tex. App. San Antonio 2010).
- 2 Tex.—*Eris v. Giannakopoulos*, 369 S.W.3d 618 (Tex. App. Houston 1st Dist. 2012).
- 3 Tex.—*Sanchez v. Kennedy*, 202 S.W.3d 857 (Tex. App. Corpus Christi 2006).
- 4 La.—*Northeast Realty v. Jackson*, 824 So. 2d 1264 (La. Ct. App. 2d Cir. 2002).
- 5 Fla.—*Elisias v. Geico Gen. Ins. Co.*, 118 So. 3d 919 (Fla. 4th DCA 2013).

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